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May 9, 2000

Chris Hansen, Environmental Manager  
Mountain Coal Company  
c/o Canyon Fuel Company, LLC  
HC 25 Box 380  
Helper, Utah 84526

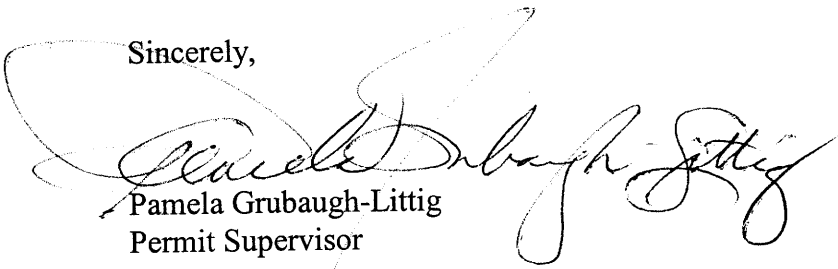
Re: Findings for Revised Permit Maps, Mountain Coal Company, Gordon Creek 2, 7, & 8,  
ACT/007/016-AM99C1, Outgoing File

Dear Mr. Hansen :

The above-referenced amendment has been reviewed and there are deficiencies that must be adequately addressed prior to approval. A copy of our technical analysis is enclosed for your information. Please respond to these deficiencies by June 9, 2000.

If you have any questions, please feel free to call me.

Sincerely,

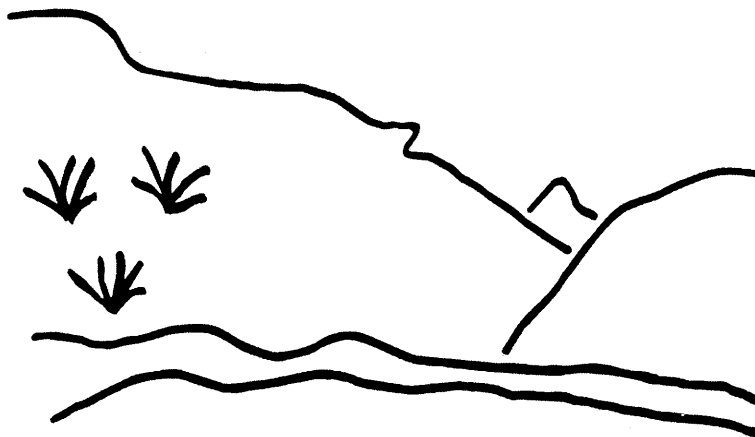
  
Pamela Grubaugh-Littig  
Permit Supervisor

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Enclosure:

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# State of Utah



## Utah Oil Gas and Mining

### Coal Regulatory Program

Gordon Creek 2 7 & 8  
Revised Permit Maps  
ACT/007/016-AM99C1  
Technical Analysis  
May 2, 2000

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## TABLE OF CONTENTS

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INTRODUCTION .....	1
SUMMARY OF OUTSTANDING DEFICIENCIES .....	2
ADMINISTRATIVE INFORMATION .....	3
RIGHT OF ENTRY .....	3
ENVIRONMENTAL RESOURCE INFORMATION .....	4
MAPS, PLANS, AND CROSS SECTIONS OF RESOURCE INFORMATION .....	4
Permit Area Boundary Maps .....	4
Surface and Subsurface Ownership Maps .....	4
OPERATION PLAN .....	5
SUBSIDENCE CONTROL PLAN .....	5
Performance Standards for Subsidence Control .....	5
HYDROLOGIC INFORMATION .....	5
RECLAMATION PLAN .....	7
GENERAL REQUIREMENTS .....	7
POSTMINING LAND USES .....	7

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**INTRODUCTION**

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## **INTRODUCTION**

Proposed changes to the Gordon Creek #2, #7, & #8 permit were received on February 3, 2000. This amendment revises the permit area boundaries since right-of-entry expired with the coal lease relinquishment. The amendment is not recommended for approval until additional requested information is provided.

## SUMMARY OF OUTSTANDING DEFICIENCIES

The Technical Analysis regarding the proposed permit changes is not complete at this time, pending submittal of additional information by the Permittee and further review by the Division, to address outstanding deficiencies in the proposal. A summary of those outstanding deficiencies is provided below. Additional comments, concerns, and deficiencies may also be found within the analysis and finding make in the Draft Technical Analysis which have not been presented in this summary. Upon finalization of this review, any outstanding deficiencies will be evaluated for compliance with the regulatory requirements. Such deficiencies may be conditioned to the requirements of the permit issued by the Division, result in denial of the proposed permit changes, or may result in other executive or enforcement actions as deemed necessary by the Division at that time to achieve compliance with the Utah Coal Regulatory Program.

Accordingly, the permittee must address those deficiencies as found within this Draft Technical Analysis and provide the following, prior to approval, in accordance with the requirements of:

- R645-301-116.100**, the current acres of land to be affected should be stated. . . . . 3
- R645-301-560 and R6450-301-525**, an analysis of observed versus projected subsidence impacts, and a discussion of how any subsidence-caused material damage was prevented or mitigated must be provided. . . . . 5
- R645-301-640**, documentation must be provided that all subsidence monuments have been removed. Documentation must be provided that all wells or bore holes have been cased, capped, sealed, backfilled, or approved for transfer. . . . . 7
- R645-301-750**, an analysis must be provided assessing hydrology data relative to the impact projections contained within the PHC and CHIA. The analysis must show that onsite impacts have been minimized and that offsite impacts have been prevented. . . . . 6
- UCA 40-10-2(2) and R645-301-413**, the application must contain a description of how the land has met the stated postmining land use and how the mined land has met the surface owner or surface manager plans and programs described in the permit. . . . . 8

**ADMINISTRATIVE INFORMATION**

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## **ADMINISTRATIVE INFORMATION**

### **RIGHT OF ENTRY**

Regulatory Reference: R645-301-114

#### **Analysis:**

Right of entry information is found in section 4.3.4 of the permit. All coal leases have been relinquished (1999) and therefore only surface right of entry remains. Surface use agreements are with Calvin Jacob and Sons, Robert and Linda Jewkes and E. E. Peirce.

This permit change does not remove all of the information in the plan concerning reduction of the permit area. Some of the information should remain as a reference and history of the mining.

Page 4-47 of the amendment states that the current permit area is approximately 2286.05 acres and the revised permit area will contain 180 acres. Since these amended pages, when approved, will be directly added to the MRP this sentence should read "the current permit area is 180 acres".

#### **Findings:**

The minimum regulatory requirements of this section have not been met. Prior to approval the permittee must provide the following in accordance with:

**R645-301-116.100**, the current acres of land to be affected should be stated.

## **ENVIRONMENTAL RESOURCE INFORMATION**

Regulatory Reference: Pub. L 95-87 Sections 507(b), 508(a), and 516(b); 30 CFR Sec. 783., et. al.

### **MAPS, PLANS, AND CROSS SECTIONS OF RESOURCE INFORMATION**

Regulatory Reference: 30 CFR Sec. 783.24, 783.25; R645-301-423, -301-411, -301-521, -301-622, -301-722, -301-731.

#### **Analysis:**

##### **Permit Area Boundary Maps**

The current permit area boundary (date received December 16, 1999) is shown on Figures 4-1, 4-2, and 4-3.

##### **Surface and Subsurface Ownership Maps**

Surface and subsurface ownership maps are shown on Figures 4-1 and 4-2.

#### **Findings:**

The information provided in this section meets the minimum regulatory requirements of this section. However, additional map information may be required when providing other requested information.

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OPERATION PLAN

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## OPERATION PLAN

### SUBSIDENCE CONTROL PLAN

Regulatory Reference: 30 CFR Sec. 784.20, 817.121, 817.122; R645-301-521, -301-525, -301-724.

#### Analysis:

##### Performance Standards for Subsidence Control

No information was provided on subsidence in the application. A discussion is needed describing observed versus projected subsidence impacts, and a discussion of how any subsidence-caused material damage was prevented or mitigated.

#### Findings:

The information provided is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with:

**R645-301-560 and R6450-301-525**, an analysis of observed versus projected subsidence impacts, and a discussion of how any subsidence-caused material damage was prevented or mitigated must be provided.

### HYDROLOGIC INFORMATION

Regulatory Reference: 30 CFR Sec. 773.17, 774.13, 784.14, 784.16, 784.29, 817.41, 817.42, 817.43, 817.45, 817.49, 817.56, 817.57; R645-300-140, -300-141, -300-142, -300-143, -300-144, -300-145, -300-146, -300-147, -300-148, -301-512, -301-514, -301-521, -301-531, -301-532, -301-533, -301-536, -301-542, -301-720, -301-731, -301-732, -301-733, -301-742, -301-743, -301-750, -301-761, -301-764.

#### Analysis:

The application did not contain a surface and groundwater quality and quantity impact analysis, for the area being removed from the permit. The analysis should assess hydrology data relative to the impact projections and trends contained within the PHC and CHIA. The analysis must show that onsite impacts have been minimized and that offsite impacts have been prevented.



**Findings:**

The information provided is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with: .

**R645-301-750**, an analysis must be provided assessing hydrology data relative to the impact projections contained within the PHC and CHIA. The analysis must show that onsite impacts have been minimized and that offsite impacts have been prevented.

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RECLAMATION PLAN

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## RECLAMATION PLAN

### GENERAL REQUIREMENTS

Regulatory Reference: PL 95-87 Sec. 515 and 516; 30 CFR Sec. 784.13, 784.14, 784.15, 784.16, 784.17, 784.18, 784.19, 784.20, 784.21, 784.22, 784.23, 784.24, 784.25, 784.26; R645-301-231, -301-233, -301-322, -301-323, -301-331, -301-333, -301-341, -301-342, -301-411, -301-412, -301-422, -301-512, -301-513, -301-521, -301-522, -301-525, -301-526, -301-527, -301-528, -301-529, -301-531, -301-533, -301-534, -301-536, -301-537, -301-542, -301-623, -301-624, -301-625, -301-626, -301-631, -301-632, -301-731, -301-723, -301-724, -301-725, -301-726, -301-728, -301-729, -301-731, -301-732, -301-733, -301-746, -301-764, -301-830.

#### Analysis:

The application did not contain documentation that all wells have been capped, sealed, backfilled, or approved for transfer as a water well. No documentation was provided that all exploration holes and bore holes were permanently cased and sealed. No documentation was provided that all monuments and surface markers used as subsidence monitoring points have been removed.

#### Findings:

The information provided is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with:

**R645-301-640**, documentation must be provided that all subsidence monuments have been removed. Documentation must be provided that all wells or bore holes have been cased, capped, sealed, backfilled, or approved for transfer.

### POSTMINING LAND USES

Regulatory Reference: 30 CFR Sec. 784.15, 784.200, 785.16, 817.133; R645-301-412, -301-413, -301-414, -302-270, -302-271, -302-272, -302-273, -302-274, -302-275.

#### Analysis:

No information could be found in the application describing how the land has met the stated postmining land use, including a discussion of the utility and capacity of the land after mining. A demonstration must be provided on how the mined land has met the surface owner or surface manager plans and programs described in the permit. This may include comments or letters from the surface land owners.

**Findings:**

The information provided is not considered adequate to meet the requirements of this section. Prior to approval, the Permittee must provide the following in accordance with: .

**UCA 40-10-2(2) and R645-301-413**, the application must contain a description of how the land has met the stated postmining land use and how the mined land has met the surface owner or surface manager plans and programs described in the permit.

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